

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
CASE NO. 4:21-CV-00021-M

JULIANNA LOPEZ,

Plaintiff,

v.

PAUL E. BLAIN, DAVID L. BLAIN, and
CAROLINE W. BLAIN,

Defendants.

ORDER


This matter is before the court on the Consent Motion to Consolidate Actions, for Stay, and for Extension of Time to Respond to Defendants David L. Blain and Carolina W. Blain's Motion to Dismiss [DE-17]. For the reasons that follow the motion will be GRANTED in part and DENIED in part.

If actions before the court involve a common question of law or fact, the court may consolidate the actions. Fed. R. Civ. P. 42(a)(2). Decisions regarding consolidation are discretionary. *Campbell v. Boston Sci. Corp.*, 882 F.3d 70, 74 (4th Cir. 2018). The parties jointly seek to consolidate this matter with the action captioned *In the Matter of: David L. Blain and Caroline W. Blain, Owners of a 1987 Grady White 23' +/- Gulfstream, HIN # NTLCX226J687, NC Registration # NC-7427 BJ, her engines, tackle, apparel, appurtenances, towable tube, tow line, fittings, etc., For Exoneration from or Limitation of Liability*, Case Number 4:20-CV-00211-M, based on the contention that the allegations arise out of the same August 4, 2020, voyage on the Trent River in New Bern, North Carolina. Based on the parties' consent, their representations, and in the court's discretion, the request for consolidation is GRANTED. It appears to the court that the requested stay of the instant action has been rendered moot by virtue of the consolidation and that request is therefore DENIED.

The court may, for good cause, extend the time when an act must be done, if the request is made before the original time expires. Fed. R. Civ. P. 6(b)(1)(A). For good cause shown, Julianna Lopez's ("Lopez") request for an extension of time is GRANTED. Lopez shall respond to the Motion to Dismiss [DE-10] and its supporting memorandum of law [DE-11] within thirty (30) days from the date of the entry of this order.

Furthermore, in light of the consolidation, the parties are ORDERED to withdraw any pending motions that no longer require a court order within two weeks of the entry of this order.

SO ORDERED this the 12th day of May, 2021.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE